

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: APPLICATION OF MEDICAL  
RESEARCH COUNCIL FOR AN ORDER  
PERMITTING ISSUANCE OF  
SUBPOENAS TO TAKE DISCOVERY  
FOR USE IN FOREIGN PROCEEDING,

Petitioner.

Case No. [15-mc-80213-SK](#)

**ORDER REGARDING DISCOVERY  
DISPUTE**

Regarding Docket No. 23

On December 15, 2015, after close of business, Medical Research Council ("MRC") filed a unilateral letter brief in violation of this Court's Standing Order. The Court's Standing Order requires that the parties meet and confer before seeking relief on a discovery dispute. If the parties are unable to meet and confer or the moving party is unable to obtain the opposition party's portion of the joint letter, the Standing Order sets forth specific procedures with which the moving party must comply. MRC did not submit a joint letter brief, did not explain whether it meet and conferred with Genentech, Inc, and did not comply with the procedures for submitting a unilateral letter brief. Moreover, MRC contends that it needs Genentech to provide satisfactory discovery responses by December 18, 2015, but fails to explain why it waited until 8:24 p.m. on December 15, 2015 to file its letter brief. MRC is admonished that any future failure to comply with this Court's Standing Order will be sanctioned.

The Court HEREBY ORDERS Genentech to file a responsive letter brief today, December 16, 2015, by no later than 8:30 p.m.

**IT IS SO ORDERED.**

Dated: December 16, 2015

  
SALLIE KIM  
United States Magistrate Judge